

MEMORANDUM

TO: Town Clerk
Park and Recreation Department
TV79
Public Works Department

FROM: Robert Woodside

DATE: December 9, 2021

SUBJECT: ZBA Meeting

The Darien Zoning Board of Appeals will hold a meeting on Wednesday, December 15, 2021, at 7:00 P.M. in room 213 of Town Hall, and allowing remote access via GoToMeeting # 576-214-677. A copy of the agenda is attached.

Zoning Board of Appeals
Wed, Dec 15, 2021 7:00 PM - 10:00 PM (EST)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/576214677>

You can also dial in using your phone.
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REGULAR MEETING AGENDA

Wednesday, December 15, 2021 7:00 P.M.
Via Go To Meeting #576 214 677
With staff only in Public Meeting Room 213
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce another's protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only as the Chair instructs within the Go To Meeting procedures. In order to avoid unnecessary distractions, please "mute" when it's not your turn to speak.**

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However, complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting and some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may choose to make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

POSTPONEMENTS AND CONTINUATIONS

Changes to the meeting agenda may occur after posting and would be announced at the beginning of the meeting.

CONTINUATION OF PUBLIC HEARING

This hearing was Opened on November 17, 2021, when a ZBA member recused himself due to a possible conflict leaving only a four member panel. The applicant then agreed to immediately Continue the hearing without testimony to this next meeting on December 15, 2021. This Public Hearing must be concluded by December 22, 2021, within 35 days of its Opening on November 17. However, the hearing may be Recontinued to a subsequent meeting with the applicant's consent. The next scheduled meeting is January 19, 2022.

CALENDAR NO. 15-2021 The application of Dale Glifort, Sean Walters and E.L. Wagner Co. Inc. on behalf of Timothy S. and Lisa Koorbusch submitted on October 18, 2021 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a swimming pool; Section 406: 23.1 in lieu of 40.0 feet minimum required west rear yard setback. The property is situated on the east side of Cedar Gate Road approximately 400 feet south of the intersection of Wild Rose Lane and is shown on Assessor's Map #64 as Lots #65 & 66, being 46 Cedar Gate Road and located in an R-1 (residential) Zone.

DELIBERATIONS AND DECISIONS

Discussion, deliberation and possible decisions for Public Hearing request item listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise ZBA deliberation of the requests may be postponed or continued to a later meeting date.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Approval of Minutes of meeting on November 17, 2021. ZBA members attending this meeting were Mike Nedder, Jeff Williams, Gary Greene, Dan Nalawade, and Barb Hazelton.
2. Election of Officers, by regular members.
3. Report of Committee researching possible policy regarding historic preservation considerations with the evaluation of variance requests.

4. Consideration of returning to live meetings.
5. Use of online applications.
6. Possible meeting with Town Counsel to consider possible policies.
 - a. regarding correction of violations, encroachments and unpermitted structures.
 - b. regarding applicant contacts to ZBA members.
 - c. regarding duties of staff and duties of chair.
7. Possible issues for Bylaws and Policies subcommittee to consider.
8. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).

ADJOURNMENT